REMARKS

The above amendments are submitted in advance of the first Office action for the purpose of clarification and to make more accessible to those skilled in the art information contained in a provisional patent application cross-referenced in the present application. No limitation in the scope of the claims is intended by these amendments.

Amendments made herein to the specification recite language found in Provisional Application Serial No. 60/498,863, filed Aug. 29,2003, whose benefit is claimed as priority of the present application and which was incorporated therein. No new matter is added by these amendments.

As pointed out in the Specification, the use of thermal systems to generate images on various types of paper stocks has significantly increased due to various advantages for particular applications.

A thermal printer uses heat to transfer an impression onto paper. Several kinds of thermal printers are known in the art and commercially available.

A thermal wax transfer printer adheres a wax-based ink onto paper. A thermal printhead melts wax-based ink from the transfer ribbon onto the paper. When cool, the wax is permanent.

These printers print images as dots, which means that they don't require special paper and they are very fast.

A direct thermal printer prints the image by burning dots onto coated paper when the paper passes over a line of heating elements. Early fax machines used direct thermal printing.

There are also thermal dye transfer printers, sometimes called dye sublimation printers, which do not print dots and afford superior quality at some sacrifice in speed.
In thermal transfer systems, an indicia-forming material is transferred from one stratum to a stock sheet, while in direct thermal transfer a thermosensitive coating is provided on the stock and indicia are formed by chemical or physical processes in the coating as a result of bringing particularly shaped thermal elements into contact with the stock. Both systems use thermal print heads consisting of miniature resistors that are either in a straight line or a matrix, and become heated in response to electrical current pulses.

One particular area where thermal printing has been used advantageously is in the printing of baggage tags, such as for airlines or trains. Tags made of direct thermal stock may be simply produced on site to include a wide variety of variable images, including bar coding.

The prior art, however, does not address the need for an on-demand, real-time printing of an extended tab label for pharmacy applications such as a pharmaceutical label placed on a container in which a medication or drug is packaged for dispensing to and use by a designated patient. A pharmaceutical label must accommodate much information in a small space, including (a) identification of the drug being dispensed by brand name and generic name, the kind of dosage form and amount of active ingredient contained in each unit dosage form, the name of the manufacturer and/or distributor of the drug, and a picture or verbal description of the unit dosage form; the preceding items of information shall be referred to herein as drug information; and (b) the identification of the patient, the prescribing physician, and the dispensing pharmacist; the regimen for administering the drug to the patient, including the number of unit dosage forms to be given at a time, the number of givings per day, and identification of things to suitably accompany giving the medication (food, water, etc) or to be avoided at the time the medication is given (food, alcohol, other medications); and the number of times the prescription can be refilled; also, such ancillary information as addresses, telephone and registration numbers, and emergency instructions; the items of information following (b) shall be referred to herein as patient information.

It can be seen that the preparation of a pharmaceutical label for a prescription drug at the time and place of dispensing the prescription (herein referred to as real-time on-site preparation) is orders of magnitude more complex than the preparation of a baggage tag. If the above recital of the items of information required on a pharmaceutical label be deemed insufficient to establish the distinction, let consideration be given to the consequences of an error: a piece of luggage sent by mistake to a wrong destination can be retrieved and redelivered to its owner; a mistake in labeling a prescription drug cannot be undone and can be fatal.

Patient information, moreover, is not known until a prescription is presented to be filled. There is, therefore, a need for a simple and efficient mechanism enabling the dispensing pharmacist to print labels containing all necessary drug information and patient information for the containers of each drug being dispensed. Such containers vary in size and shape but are usually small relative to the amount of patient information and drug information that must appear on the label. Yet another constraint on a pharmaceutical label is that the information must be in sufficiently large type to be readable by individuals with less than ideal visual acuity.

It is respectfully submitted, therefore, that the present invention is neither disclosed nor suggested by the prior art known to the inventor.

SUMMARY

In view of the above, original claims 1-8 and newly added claims 9-14, all the claims now in this application, are deemed to be drawn to patentable subject matter and to be in order for prompt allowance, which is respectfully solicited.

The Commissioner is hereby authorized to charge any fees which may be required in the prosecution of this application to Deposit Account No. 18-2262.

Respectfully submitted,

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Enclosures

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Freebourne / Vernice V. Freebourne August 30, 2004 / Date